

# **CALIFORNIA BOARD OF OCCUPATIONAL THERAPY**

## **FINAL STATEMENT OF REASONS**

**Hearing Date:** Not Applicable (No request from the public was received)

**Subject Matter of Proposed Regulations:** Ethical Standards of Practice

**Sections Affected:** Title 16, Division 39, California Code of Regulations, Section 4170

### **Updated Information:**

The Initial Statement of Reasons is included in the file describing the reason, rationale, and necessity of this proposed action.

The Board made a modification to the initially proposed language to establish and clarify consensual sexual contact between a licensee and his or her spouse, registered domestic partner, or person in an equivalent domestic relationship, shall not constitute an ethical violation in a situation where the licensee also delivers professional services to his or her spouse, registered domestic partner, or person in an equivalent domestic relationship. This modification was made to align the proposed language with an amendment that was affected to Business and Professions Code 726 (Stats. 2015, Ch. 510, Sec. 3, Effective January 1, 2016).

**Local Mandate:** None

### **Business Impact/Finding of Necessity:**

The Board has determined this proposed action will not have an adverse economic impact on business in California. The proposed action applies to individuals that are licensed to provide occupational therapy services. The Board is mandated to administer and regulate the practice of occupational therapy to protect the health, safety and welfare on California consumers. This proposed action serves to clarify principles and standards expected in the delivery of services to consumers and will enhance the Board's ability to take disciplinary action when violations occur.

### **Consideration of Alternatives:**

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which it was proposed or would be as effective and less burdensome to affected private persons than the adopted regulation or would be more cost effective to the affected private persons and equally effective in implementing the statutory policy or other provision of law.

### **Summary of Public Comments Received During 45-day Comment Period:**

The Board did not receive any comments pertaining to this proposed action.

### **Summary of Public Comments Received During 15-day Comment Period:**

The Board did not receive any comments pertaining to this proposed action.